

May 12, 2008

**UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT**Elisabeth A. Shumaker
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

WILLIAM FIELDS,

Defendant - Appellant.

No. 08-2001

(D.C. Nos. 1:07-CV-01242-JAP-CG &
2:02-CR-02262-JAP-3)

ORDER

In its order dated April 9, 2008, the court directed appellant to file his opening brief, motion for leave to proceed on without prepayment of the fees and costs (or pay the full filing fee), and application for certificate of appealability within 21 days of the date of the order or the appeal would be dismissed. To date, the documents have not been filed. Accordingly, this matter is dismissed for failure to prosecute. See 10th Cir. R. 3.3(B) and 42.1. A copy of this order shall stand as the mandate of this court.

Entered for the Court



ELISABETH A. SHUMAKER, Clerk